

REMARKS

This Response is in reply to the Final Office Action dated January 15, 2009. Claims 47-92 are pending in this application. Claims 47-92 are rejected. In response, Claims 47, 61, 67, 70, 81, and 84 have been amended. The amendment does not add new matter. In view of the amendment and/or for the reasons set forth below, Applicants respectfully submit the rejections are improper and should be withdrawn.

Rejections under 35 U.S.C. 112

In the Office Action, Claims 67-69 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Specifically, Claim 67 and Claims 68-69 that depend thereon are rejected because there is insufficient antecedent basis for “the content” in line 2 of Claim 67.

In response, Claim 67 has been amended to recite, in part, “second content access means for making an access to the content based on a keyword relating to the content included in the content meta information.”

Accordingly, Applicants respectfully request the 35 U.S.C 112 rejection with respect to Claim 67 and Claims 68-69 that depend thereon be reconsidered and the rejection withdrawn.

Rejections under 35 U.S.C. 103

In the Office Action, Claims 47-51, 58-64, 70-74, and 81-87 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,240,555 to Shoff et al. (“Shoff”) in view of U.S. Patent No. 7,028,331 to Schwalb (“Schwalb”).

Claims 52, 53, 65, 66, 75, 76, 88, and 89 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shoff, in view of Schwalb, and further in view of U.S. Patent No. 7,363,591 to Goldthwaite et al. (“Goldthwaite”).

Claims 54, 55, 67, 77, 78, and 90 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shoff, in view of Schwalb, and further in view of U.S. Publication No. 2003/0014753 to Beach et al. (“Beach”).

Claims 56, 68, 79, and 91 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shoff, in view of Schwalb, in view of Beach, and further in view of U.S. Publication No. 2001/0027557 to Shinkawa et al. (“Shinkawa”).

Claims 57, 69, 80, and 92 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shoff, in view of Schwalb, in view of Breach, in view of Shinkawa, and further in view of U.S. Publication No. 2003/0126600 to Heuvelman (“Heuvelman”).

Applicants respectfully disagree and have amended the claims to clarify the differences between the claimed subject matter and the cited prior art.

Claim 47 has been amended to recite, in part, “storage means for storing program meta information and content meta information within an information distribution device, wherein the content meta information is updated in real time.” Claims 70 and 81 are similarly amended. The amendment is fully supported by the specification. For example, see paragraph [0474] of the published specification. Moreover, similar subject matter is already claimed in Claim 58.

Claim 47 has also been amended to recite, in part, “wherein the content meta information acquired, based on the meta information reference ID, is a latest content meta information.” Claims 61, 70, and 84 are similarly amended. The amendment is fully supported by the specification. For example, see paragraph [0484] of the published specification.

Regarding independent Claims 47, 58, 70, and 81, Applicants respectfully disagree the cited prior art discloses or suggests storing program meta information and content meta information within an information distribution device, wherein the content meta information is updated in real time. The Examiner acknowledges that Shoff fails to teach this limitation and instead relies on Schwalb teaching “storing content information in a data structure.” See e.g. Office Action, page 4, lines 7-13. However, Schwalb discloses “a content proxy assembly existing within a Hardware Abstraction Layer and embedded **within the Digital TV Application Software Environment rendering device**... the content proxy itself comprising: (a) a single reference data structure.” Schwalb, column 7, lines 23-30 (emphasis added). Such a rendering device may be a “Set Top Box.” See Schwalb, column 7, lines 53-55. Thus, Applicants respectfully submit Schwalb’s content proxy comprising a data structure is located in a reception device, such as a Set Top Box, and not the service provider 2. Thus, Schwalb fails to disclose storing program meta information and content meta information **within an information distribution device**, wherein the content meta information is updated in real time as claimed and clarified by the amendment.

Regarding independent Claims 47, 61, 70, and 84, Applicants respectfully disagree the cited prior art discloses or suggests the content meta information acquired, based on the meta

information reference ID, is a latest content meta information. The Examiner acknowledges that Shoff fails to teach this limitation and instead relies on Schwalb teaching updating “the information in real time making the content data acquired the latest information.” See e.g. Office Action, page 4, lines 7-13. Even if, arguendo, Schwalb discloses updating information in real time, Schwalb further discloses the broadcast stream received by the rendering device includes “audio, video, and data content information.” Schwalb, column 8, lines 27-30. However, data content information is “the latest”, arguendo, only because it is continuously transmitted to the rendering device via the broadcast stream, and not after being requested as Applicants claim. See Schwalb column 3, line 63 – column 4, line 2 and column 8, line 23 – column 9, line 30. Thus, Shoff in combination with Schwalb fails to teach the content meta information acquired, based on the meta information reference ID, is a latest content meta information. For example, the combination of Shoff and Schwalb does not lead to a “reduction of the data amount for delivery and the data amount to be accumulated in the information reception device 101, improving the process efficiency” as Applicants disclose. Published specification, paragraph [0480].

Applicants respectfully submit that Goldthwaite, Beach, Shinkawa, and Heuvelman fail to cure the deficiencies of Shoff and Schwalb. Accordingly, Applicants request the obviousness rejections with respect to independent Claims 47, 58, 61, 70, 81, and 84 and the claims that depend thereon be reconsidered and the rejections withdrawn.

Conclusion

For at least the forgoing reasons, Applicants respectfully submit that the present application is in condition for allowance and earnestly solicit reconsideration of the same.

The Commissioner is hereby authorized to charge deposit account 02-1818 for any fees which are due and owing. If such a withdrawal is made, please indicate the Attorney Docket No. 112857-489 on the account statement.

Respectfully submitted,
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